FILED

APR - 9 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JAMES WAYNE FAHLE, Defendant.	Case No. 08MJ1063 ORDER OF DETENTION ON THE DEFENDANT'S WAIVER OF BAIL PENDING TRIAL

In accordance with the Bail Reform Act of 1984, Title 18, United States Code, Section 3142(f), a detention hearing was scheduled and held on April 10, 2008, to determine whether the defendant JAMES WAYNE FAHLE ("Defendant") should be held in custody pending trial and, if convicted, sentencing in the above-captioned matter. Assistant United States Attorney Michelle Pettit appeared on behalf of the United States and Siri Shetty, Esq. appeared on behalf of Defendant.

At the hearing on April 10, 2008, Defendant knowingly and voluntarily waived his right, on the record through counsel, to the setting of bail and a detention hearing. Based on the waiver, the Court orders that Defendant be detained pending trial, and, if convicted, sentencing in these matters, without prejudice or waiver of the right of Defendant to apply for bail and conditions of release at a later date, and without prejudice or waiver of the right of the United States to seek detention in the event of an application by Defendant for such relief.

ORDER

IT IS HEREBY ORDERED that Defendant be detained pending trial, and if convicted, sentencing in these matters.

IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with counsel.

While in custody, upon order of a court of the United States or upon the request of an attorney for the United States, the person in charge of the correctional facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding or any other appearance stipulated to by defense and government counsel.

This order is made without prejudice to modification by this Court and without prejudice to Defendant's exercise of his right to bail and a detention hearing at a future date.

IT IS SO ORDERED.

DATED: April 10, 2008

THE HONORABLE RUBEN B. BROOKS
United States Magistrate Judge
United States District Court for the
Southern District of California

Prepared by:

KAREN P. HEWITT
United States Attorney

/s/Michelle Pettit
MICHELLE PETTIT
Assistant United States Attorney